

CIVIL COVER SHEET

This JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS DIANE WIELAND and THOMAS WIELAND (b) County of Residence of First Listed Plaintiff (EXCEPT IN U S PLAINTIFF CASES) Cuyahoga County, Ohio (c) Attorney's (Firm, Name, Address and Telephone Number) William J Novak and Michelle D Bogle Novak Robenault & Pavlik LLP 1660 West Second Street, Suite 950 Cleveland, Ohio 44113 216/781-8700		DEFENDANTS NOVARTIS PHARMACEUTICALS CORPORATION County of Residence of First Listed Defendant (IN U S PLAINTIFF CASES ONLY) Attorneys (If Known) Matthew L Snyder Brzytwa Quick & McCrystal LLC 1660 West Second Street, Suite 900 Cleveland, Ohio 44113 (216) 664-6900													
II. BASIS OF JURISDICTION (Place an "X" in One Box Only) <input type="checkbox"/> 1 U S Government Plaintiff <input type="checkbox"/> 2 U S Government Defendant <input type="checkbox"/> 3 Federal Question (U S Government Not a Party) <input checked="" type="checkbox"/> 4 Diversity (Includes Citizenship of Parties in Item III)		III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff And One Box for Defendant) (For Diversity Cases Only) <table style="width: 100%;"> <tr> <td style="width: 33%;">Citizen of this State</td> <td style="width: 33%;">PLT <input checked="" type="checkbox"/>1 DEF <input type="checkbox"/>1</td> <td style="width: 33%;">Incorporated or Principal Place of Business in this State</td> <td>PLT <input type="checkbox"/>4 DEF <input type="checkbox"/>4</td> </tr> <tr> <td>Citizen of Another State</td> <td>PLT <input type="checkbox"/>2 DEF <input type="checkbox"/>2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td>PLT <input type="checkbox"/>5 DEF <input checked="" type="checkbox"/>5</td> </tr> <tr> <td>Citizen or Subject of Foreign Country</td> <td>PLT <input type="checkbox"/>3 DEF <input type="checkbox"/>3</td> <td>Foreign Nation</td> <td>PLT <input type="checkbox"/>6 DEF <input type="checkbox"/>6</td> </tr> </table>		Citizen of this State	PLT <input checked="" type="checkbox"/> 1 DEF <input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	PLT <input type="checkbox"/> 4 DEF <input type="checkbox"/> 4	Citizen of Another State	PLT <input type="checkbox"/> 2 DEF <input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	PLT <input type="checkbox"/> 5 DEF <input checked="" type="checkbox"/> 5	Citizen or Subject of Foreign Country	PLT <input type="checkbox"/> 3 DEF <input type="checkbox"/> 3	Foreign Nation	PLT <input type="checkbox"/> 6 DEF <input type="checkbox"/> 6
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V. ORIGIN (Place an "X" in One Box Only) <input type="checkbox"/> 1 Original Proceeding <input checked="" type="checkbox"/> 2 Removed from State Court <input type="checkbox"/> 3 Remanded from Appellate Court <input type="checkbox"/> 4 Reinstated or Reopened <input type="checkbox"/> 5 Transferred from Another District (Specify) <input type="checkbox"/> 6 Multidistrict Litigation <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judgment															
VI. CAUSE OF ACTION Cite the U S Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): Removal based upon 28 U S C §§ 1332, 1441, and 1446 Brief description of cause: Alleged injuries from prescription medication.															
VII. REQUESTED IN COMPLAINT: <input type="checkbox"/> CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P.23		DEMAND \$ _____ CHECK YES only if demanded in complaint JURY DEMAND: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No													
VIII. RELATED CASE(S) IF ANY (See Instructions) JUDGE: _____ DOCKET NUMBER: _____															
Date: 2/23/2010 Signature of Attorney of Record:															

FOR OFFICE USE ONLY

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO**

I. Civil Categories: (Please check one category only).

1. ☒ General Civil
2. ☐ Administrative Review/Social Security
3. ☐ Habeas Corpus Death Penalty

"If under Title 28, §2255, name the SENTENCING JUDGE: _____

CASE NUMBER: _____

II. RELATED OR REFILED CASES. See LR 3.1 which provided in pertinent part: "If an action is filed or removed to this Court and assigned to a District Judge after which it is discontinued, dismissed or remanded to a State court, and subsequently refiled, it shall be assigned to the same Judge who received the initial case assignment without regard for the place of holding court in which the case was refiled. Counsel or a party without counsel shall be responsible for bringing such cases to the attention of the Court by responding to the questions included on the Civil Cover Sheet."

This action is ☐ **RELATED** to another **PENDING** civil case. This action is ☐ **REFILED** pursuant to LR 3.1.

III. In accordance with Local Civil Rule 3.8, actions involving counties in the Eastern Division shall be filed at any of the divisional offices therein. Actions involving counties in the Western Division shall be filed at the Toledo office. For the purpose of determining the proper division, and for statistical reasons, the following information is requested.

ANSWER ONE PARAGRAPH ONLY. ANSWER PARAGRAPHS 1 THRU 3 IN ORDER. UPON FINDING WHICH PARAGRAPH APPLIES TO YOUR CASE, ANSWER IT AND STOP.

(1) **Resident defendant** If the defendant resides in a county within this district, please set forth the name of such county.

COUNTY: Cuyahoga County, Ohio

Corporation For the purpose of answering the above, a corporation is deemed to be a resident of that county in which it has its principle place of business in that district.

(2) **Non-Resident defendant** If no defendant is a resident of a county in this district, please set forth the county wherein the cause of action arose or the event complained of occurred.

COUNTY:

(3) **Other Cases** If no defendant is a resident of the district, or if the defendant is a corporation not having a principle place of business within the district, and the cause of action arose or the event complained of occurred outside this district, please set forth the county of the plaintiff's residence.

COUNTY:

IV. The Counties in the Northern District of Ohio are divided into divisions as shown below. After the county is determined in Section III, please check the appropriate division.

EASTERN DIVISION

- ☐ AKRON (Counties: Carroll, Holmes, Portage, Stark, Summit, Tuscarawas and Wayne)
☒ CLEVELAND (Counties: Ashland, Ashtabula, Crawford, Cuyahoga, Geauga, Lake, Lorain, Medina and Richland)
☐ YOUNGSTOWN (Counties: Columbiana, Mahoning and Trumbull)

WESTERN DIVISION

- ☐ TOLEDO (Counties: Allen, Auglaize, Defiance, Erie, Fulton, Hancock, Hardin, Henry, Huron, Lucas, Marion, Mercer, Ottawa, Paulding, Putnam, Sandusky, Seneca, VanWert, Williams, Wood and Wyandot)